

**IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD**

(Special Original Jurisdiction)

WEDNESDAY, THE FIRST DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HONOURABLE SRI JUSTICE V.V.S.RAO

-

WRIT PETITION No.13496 of 2004

Between:

Ch. Rakesh Reddy, (Minor 17 years) represented by his father Ch. Ram Reddy, S/o. Pratap Reddy, aged about 50 Years, Occ: Telecom Mechanic, BSNL, Karimnagar, A.P.

..... PETITIONER

AND

- 1 The Secretary, Board of Intermediate Examination, Nampally, Hyderabad.
- 2 The Regional Inspection Officer, Board of Intermediate Examination, Karimnagar, A.P.
- 3 The Principal, Parmita Junior College, Ponnamp Complex, Manakammathota, Karimnagar, Andhra Pradesh.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ of Mandamus, or any appropriate Writ, or Order or Directions in the nature of Writ under Article 226 of the Constitution of India, directing the 3rd respondent herein to issue the transfer certificate to the son of the petitioner herein named Ch. Rakesh Reddy forthwith.

Counsel for the Petitioner: MR.K.SUDHAKAR REDDY

Counsel for the Respondent Nos.1 and 2: MR.S.S.PRASAD

Counsel for the Respondent Nos.3: MR. M. RAJA MALLA REDDY

The Court made the following:

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ORDER:

The petitioner, who is a student of Pratima Junior College, the third respondent herein, filed this writ petition seeking a writ of mandamus directing the third respondent, to issue transfer certificate in his favour so as to enable him to join another College. Though the Interlocutory Application is listed today, the matter was heard finally with the consent of learned Counsel for both the parties.

The petitioner was admitted in first year Intermediate in College, the third respondent herein. When he wanted a transfer certificate to join another College, in spite of the petitioner making representations, the third respondent College refused to give on the ground that the academic year 2004-'05 had already started. Therefore the present writ petition is filed seeking a direction to the third respondent college to issue transfer certificate of the petitioner.

This Court while admitting the writ petition, issued notice in WPMP. After receiving the notice, it appears the third respondent entered appearance through Sri Raja Malla Reddy. It is submitted even before the notice is received in writ petition, the transfer certificate was issued to the petitioner on 09.08.2004. This is not denied. However, Sri K. Sudhakara Reddy, learned counsel for the petitioner contends that the Transfer certificate was issued by the third respondent after collecting Rs.9,000/- (Rupees Nine thousand) for the academic year 2004-'05. If that be so, liberty is given to the petitioner to seek such relief in a separate proceedings.

The writ petition, with the above observation, is dismissed.

Date: September 1, 2004. (V.V.S. RAO, J)

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ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

- 1 The Secretary, Board of Intermediate Examination,
Nampally, Hyderabad.
- 2 The Regional Inspection Officer, Board of Intermediate Examination,
Karimnagar, A.P.
- 3 The Principal, Parmita Junior College, Ponnamp Complex,
Manakammathota, Karimnagar, Andhra Pradesh.
- 4 Two C.D. copies.